IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SEVENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE BILAL NAZKI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 19621 of 2004

Between:

Syed Saleem Shah S/o.Shair Syed
R/o.21/11, Azeema Building,

T.S.P. Road, Kalasipalem Banglore. **.... PETITIONER**

AND

1.The Dy.Transport Commissioner and Secretary,

Regional Transport Authority, Kurnool.
2.The Asst. Motor Vehicles Inspector, Kurnool. **.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction particularly one in the nature of a writ of Mandamus, declaring the seizure of the petitioner's vehicle bearing No.KA/01A-5040 seized under vehicle check report No.0302295, dated 16.9.2004 by the 2nd respondent as illegal, arbitrary, unjust and consequently direct the respondents to release the vehicle of the petitioner forthwith.

Counsel for the Petitioner: MR.B.SIVA RAMA KRISHNAIAH

Counsel for the Respondents: GP FOR TRANSPORT

The Court made the following :

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ORDER: **(PER Sri Bilal Nazki, J)**

Heard learned Counsel for the parties. With their consent, the writ petition is being disposed of at this stage.

It is submitted that the vehicle belonging to the petitioner has been seized. It is neither having All India Permit nor any special Permit, and it was plying within A.P., allegedly without any permit. The vehicle has been seized as early as on 16-9-2004 and an application has been made by the petitioner on 14-10-2004. In these circumstances, we direct the concerned authority i.e., first respondent to decide the matter and pass appropriate orders within a period of one week from the date of receipt of a copy of this order.

Writ petition is accordingly disposed of. No costs.

(BILAL NAZKI, J)

27th October, 2004

(S.ANANDA REDDY, J)

Note:

Issue CC by tomorrow

B/o

LUR

Copy to:

1.The Deputy Transport Commissioner and Secretary,

Regional Transport Authority, Kurnool.
2.The Assistant Motor Vehicles Inspector,

Kurnool.

3.Two CCs to the G.P for Transport,

High Court Buildings, High Court of A.P.,

Hyderabad (O.U.T)

4.Two CD copies.